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|  |                        |                       |
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| <b>REQUEST<br/>FOR<br/>CONTINUED EXAMINATION (RCE)<br/>TRANSMITTAL</b><br><br>Subsection (b) of 35 U.S.C. § 132, effective on May 29, 2000,<br>provides for continued examination of an utility or plant application<br>filed on or after June 8, 1995.<br>See The American Inventors Protection Act of 1999 (AIPA). | Application Number     | 09/908,727            |
|  | Filing Date            | July 20, 2001         |
|  | First Named Inventor   | Hisashi OHTANI et al. |
|  | Group Art Unit         | 2812                  |
|  | Examiner Name          | R. Booth              |
|  | Attorney Docket Number | 0756-2328             |

**RECEIVED****OCT 14 2004****OFFICE OF PETITIONS**

This is a Request for Continued Examination (RCE) under 37 C.F.R. § 1.114 of the above-identified application.

**NOTE:** 37 C.F.R. § 1.114 is effective on May 29, 2000. If the above-identified application was filed prior to May 29, 2000, applicant may wish to consider filing a continued prosecution application (CPA) under 37 C.F.R. § 1.53(d) (PTO/SB/29) instead of a RCE to be eligible for the patent term adjustment provisions of the AIPA. See Changes to Application Examination and Provisional Application Practice, Final Rule, 65 Fed. Reg. 50092 (Aug. 16, 2000); Interim Rule, 65 Fed. Reg. 14865 (Mar. 20, 2000), 1233 Off. Gaz. Pat. Office 47 (Apr. 11, 2000), which established RCE practice.

1. **Submission required under 37 C.F.R. § 1.114**

a. ☐ Previously submitted

i. ☐ Consider the amendment(s)/reply under 37 C.F.R. § 1.116 previously filed on \_\_\_\_\_  
(Any unentered amendment(s) referred to above will be entered).

ii. ☐ Consider the arguments in the Appeal Brief or Reply Brief previously filed on \_\_\_\_\_

iii. ☐ Other

b. ☒ Enclosed

i. ☐ Amendment/Reply

ii. ☐ Affidavit(s)/Declaration(s)

iii. ☒ Information Disclosure Statement (IDS)

iv. ☐ Other

2. **Miscellaneous**

a. ☐ Suspension of action on the above-identified application is requested under 37 C.F.R. § 1.103(c) for a period of \_\_\_\_\_ months. (Period of suspension shall not exceed 3 months; Fee under 37 C.F.R. § 1.17(i) required)

b. ☒ Other Petition to Withdraw from Issue

3. **Fees** The RCE fee under 37 C.F.R. § 1.17(e) is required by 37 C.F.R. § 1.114 when the RCE is filed.

a. ☐ The Director is hereby authorized to charge the following fees, or credit any overpayments, to Deposit Account No. \_\_\_\_\_

i. ☐ RCE fee required under 37 C.F.R. § 1.17(e)

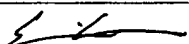
ii. ☐ Extension of time fee (37 C.F.R. §§ 1.136 and 1.17)

iii. ☐ Other \_\_\_\_\_

b. ☒ Check in the amount of \$920.00 enclosed.

c. ☐ Payment by credit card (Form PTO-2038 enclosed)

**SIGNATURE OF APPLICANT, ATTORNEY, OR AGENT REQUIRED**

|                   |   |                                   |                  |
|-------------------|---|-----------------------------------|------------------|
| Name (Print/Type) | Eric J. Robinson  | Registration No. (Attorney/Agent) | 38,285           |
| Signature         |  | Date                              | October 14, 2004 |

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| Signature         |  | Date |  |

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|  |                        |                      |
|--|------------------------|----------------------|
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|  | Attorney Docket Number | 0756-2328            |

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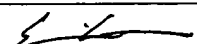
**OFFICE OF PETITIONS**

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  - ☐ Previously submitted
    - ☐ Consider the amendment(s)/reply under 37 C.F.R. § 1.116 previously filed on \_\_\_\_\_  
(Any unentered amendment(s) referred to above will be entered).
    - ☐ Consider the arguments in the Appeal Brief or Reply Brief previously filed on \_\_\_\_\_
    - ☐ Other
  - ☒ Enclosed
    - ☐ Amendment/Reply
    - ☐ Affidavit(s)/Declaration(s)
    - ☒ Information Disclosure Statement (IDS)
    - ☐ Other
- Miscellaneous**
  - ☐ Suspension of action on the above-identified application is requested under 37 C.F.R. § 1.103(c) for a period of \_\_\_\_\_ months. (Period of suspension shall not exceed 3 months; Fee under 37 C.F.R. § 1.17(I) required)
  - ☒ Other Petition to Withdraw from Issue
- Fees** The RCE fee under 37 C.F.R. § 1.17(e) is required by 37 C.F.R. § 1.114 when the RCE is filed.
  - ☐ The Director is hereby authorized to charge the following fees, or credit any overpayments, to Deposit Account No. \_\_\_\_\_
    - ☐ RCE fee required under 37 C.F.R. § 1.17(e)
    - ☐ Extension of time fee (37 C.F.R. §§ 1.136 and 1.17)
    - ☐ Other \_\_\_\_\_
  - ☒ Check in the amount of \$920.00 enclosed.
  - ☐ Payment by credit card (Form PTO-2038 enclosed)

**SIGNATURE OF APPLICANT, ATTORNEY, OR AGENT REQUIRED**

|                   |   |                                   |                  |
|-------------------|---|-----------------------------------|------------------|
| Name (Print/Type) | Eric J. Robinson  | Registration No. (Attorney/Agent) | 38,285           |
| Signature         |  | Date                              | October 14, 2004 |

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**FEE TRANSMITTAL  
FOR FY 2005**

Effective 10/01/2004. Patent fees are subject to annual revision.

☐ Applicant Claims small entity status. See 37 CFR 1.27.

TOTAL AMOUNT OF PAYMENT (\$ ) 920.00

## Complete if Known

|                      |                       |
|----------------------|-----------------------|
| Application Number   | 09/908,727            |
| Filing Date          | July 20, 2001         |
| First Named Inventor | Hisashi OHTANI et al. |
| Examiner Name        | R. Booth              |
| Group Art Unit       | 2812                  |
| Attorney Docket No.  | 0756-2328             |

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## METHOD OF PAYMENT

- 1.
- ☐
- The Commissioner is hereby authorized to charge indicated fees and credit any overpayments to:

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Number

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Deposit  
Account  
NameRobinson Intellectual Property  
Law Office

- ☒
- Charge Any Additional Fee Required
- 
- Under 37 CFR 1.16 and 1.17 and
- 
- credit overpayments

☐ Applicant claims small entity status.  
See 37 CFR 1.27

- 2.
- ☒
- Payment Enclosed:

☒ Check ☐ Credit Card ☐ Money  
Order ☐ Other

## FEE CALCULATION

## 1. BASIC FILING FEE

| Large Entity<br>Fee Code | Small Entity<br>Fee Code | Fee Description        | Fee Paid |
|--------------------------|--------------------------|------------------------|----------|
| 1001 790                 | 2001 395                 | Utility filing fee     |          |
| 1002 350                 | 2002 175                 | Design filing fee      |          |
| 1003 550                 | 2003 275                 | Plant filing fee       |          |
| 1004 790                 | 2004 395                 | Reissue filing fee     |          |
| 1005 160                 | 2005 80                  | Provisional filing fee |          |

SUBTOTAL (1) (\$ )

## 2. EXTRA CLAIM FEES

| Total Claims       | Extra Claims | Fee from below | Fee Paid |
|--------------------|--------------|----------------|----------|
|                    | -20** =      | \$18           |          |
| Independent Claims | -3** =       | \$88           |          |
| Multiple Dependent |              |                |          |

| Large Entity<br>Fee Code | Small Entity<br>Fee Code | Fee Description  | Fee Paid |
|--------------------------|--------------------------|--|----------|
| 1202 18                  | 2202 9                   | Claims in excess of 20                                     |          |
| 1201 88                  | 2201 44                  | Independent claims in excess of 3                          |          |
| 1203 300                 | 2203 150                 | Multiple dependent claim, if not paid                      |          |
| 1204 88                  | 2204 44                  | ** Reissue independent claims over original patent         |          |
| 1205 18                  | 2205 9                   | ** Reissue claims in excess of 20 and over original patent |          |

SUBTOTAL (2) (\$ )

\*\*or number previously paid, if greater; For Reissues, see above

## FEE CALCULATION (continued)

## 3. ADDITIONAL FEES

| Fee Code                  | Large Entity<br>Fee (\$) | Small Entity<br>Fee (\$) | Fee Description  | Fee Paid |
|---------------------------|--------------------------|--------------------------|--|----------|
| 1051 130                  | 2051 65                  |                          | Surcharge - late filing fee or oath  |          |
| 1052 50                   | 2052 25                  |                          | Surcharge - late provisional filing fee or cover sheet                     |          |
| 1053 130                  | 1053 130                 |                          | Non-English specification  |          |
| 1812 2,520                | 1812 2,520               |                          | For filing a request for <i>ex parte</i> reexamination                     |          |
| 1804 920*                 | 1804 920*                |                          | Requesting publication of SIR prior to Examiner action                     |          |
| 1805 1,840*               | 1805 1,840*              |                          | Requesting publication of SIR after Examiner action                        |          |
| 1251 110                  | 2251 55                  |                          | Extension for reply within first month                                     |          |
| 1252 430                  | 2252 215                 |                          | Extension for reply within second month                                    |          |
| 1253 980                  | 2253 490                 |                          | Extension for reply within third month                                     |          |
| 1254 1,530                | 2254 765                 |                          | Extension for reply within fourth month                                    |          |
| 1255 2,080                | 2255 1040                |                          | Extension for reply within fifth month                                     |          |
| 1401 340                  | 2401 170                 |                          | Notice of Appeal   |          |
| 1402 340                  | 2402 170                 |                          | Filing a brief in support of an appeal                                     |          |
| 1403 300                  | 2403 150                 |                          | Request for oral hearing   |          |
| 1451 1,510                | 1451 1,510               |                          | Petition to institute a public use proceeding                              |          |
| 1452 110                  | 2452 55                  |                          | Petition to revive - unavoidable   |          |
| 1453 1,370                | 2453 685                 |                          | Petition to revive - unintentional   |          |
| 1501 1,370                | 2501 685                 |                          | Utility issue fee (or reissue)   |          |
| 1502 490                  | 2502 245                 |                          | Design issue fee   |          |
| 1503 660                  | 2503 330                 |                          | Plant issue fee  |          |
| 1460 130                  | 1460 130                 |                          | Petitions to the Commissioner  | \$130    |
| 1807 50                   | 1807 50                  |                          | Processing fee under 37 CR 1.17(q)   |          |
| 1806 180                  | 1806 180                 |                          | Submission of Information Disclosure Stmt                                  |          |
| 8021 40                   | 8021 40                  |                          | Recording each patent assignment per property (times number of properties) |          |
| 1809 790                  | 2809 395                 |                          | Filing a submission after final rejection (37 CFR § 1.129(a))              |          |
| 1810 790                  | 2810 395                 |                          | For each additional invention to be examined (37 CFR § 1.29(b))            |          |
| 1801 790                  | 2801 395                 |                          | Request for Continued Examination (RCE)                                    | \$790    |
| 1802 900                  | 1802 900                 |                          | Request for expedited examination of a design application                  |          |
| Other fee (specify) _____ |                          |                          |  |          |

\* Reduced by Basic Filing Fee Paid

SUBTOTAL (3) (\$ ) 920.00

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## SUBMITTED BY

Name (Print/Type) Eric J. Robinson

Registration No. 38,285  
(Attorney/Agent)

## Complete (if applicable)

Telephone (571) 434-6789

Signature

Date 10-14-04

# TRANSMITTAL FORM

(to be used for all correspondence after initial filing)

|   |                      |                        |           |
|---|----------------------|------------------------|-----------|
| <b>TRANSMITTAL<br/>FORM</b><br><br>(to be used for all correspondence after initial filing) | Application Number   | 09/908,727             |           |
|   | Filing Date          | July 20, 2001          |           |
|   | First Named Inventor | Hisashi OHTANI et al.  |           |
|   | Group Art Unit       | 2812                   |           |
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| Total Number of Pages in This Submission  |                      | Attorney Docket Number | 0756-2328 |

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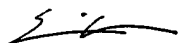
OCT 14 2004

OFFICE OF PETITIONS

## ENCLOSURES (check all that apply)

|  |   |  |
|--|---|--|
| <input checked="" type="checkbox"/> Fee Transmittal Form<br><input checked="" type="checkbox"/> Fee Attached<br><input type="checkbox"/> Amendment / Reply<br><input type="checkbox"/> After Final<br><input type="checkbox"/> Affidavits/declaration(s)<br><input type="checkbox"/> Extension of Time Request<br><input type="checkbox"/> Express Abandonment Request<br><input checked="" type="checkbox"/> Information Disclosure Statement<br><input type="checkbox"/> Certified Copy of Priority Document(s)<br><input type="checkbox"/> Response to Missing Parts/Incomplete Application<br><input type="checkbox"/> Response to Missing Parts under 37 CFR 1.52 or 1.53 | <input type="checkbox"/> Assignment Papers (for an Application)<br><input type="checkbox"/> Drawing(s)<br><input type="checkbox"/> Declaration and Power of Attorney<br><input type="checkbox"/> Licensing-related Papers<br><input type="checkbox"/> Petition<br><input type="checkbox"/> Petition to Convert to a Provisional Application<br><input type="checkbox"/> Power of Attorney, Revocation Change of Correspondence Address<br><input type="checkbox"/> Terminal Disclaimer<br><input type="checkbox"/> Request for Refund<br><input type="checkbox"/> CD, Number of CD(s) _____ | <input type="checkbox"/> After Allowance Communication to Group<br><input type="checkbox"/> Appeal Communication to Board of Appeals and Interferences<br><input type="checkbox"/> Appeal Communication to Group (Appeal Notice, Brief, Reply Brief)<br><input type="checkbox"/> Proprietary Information<br><input type="checkbox"/> Status Letter<br><input checked="" type="checkbox"/> Other Enclosures<br>1. RCE<br>2. Petition to Withdraw from Issue<br>3.<br>4.<br>5.<br>6. |
| Remarks <input checked="" type="checkbox"/> The Commissioner is hereby authorized to charge any additional fees required or credit any overpayments to Deposit Account No. 50-2280 for the above identified docket number.   |   |  |

## SIGNATURE OF APPLICANT, ATTORNEY, OR AGENT

|                               |  |
|-------------------------------|--|
| Firm<br>or<br>Individual name | Eric J. Robinson, Reg. No. 38,285<br>Robinson Intellectual Property Law Office, P.C.<br>PMB 955<br>21010 Southbank Street<br>Potomac Falls, VA 20165 |
| Signature                     |   |
| Date                          | 10-14-04   |

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